

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, Middle Initial) 5 U.S.C. 552(b)(6)		2. SSN 5 U.S.C. 552(b)(6)	3. GRADE OR RANK MIDN 1/C	4. PAY GRADE MIDN
5. UNIT OR ORGANIZATION U.S. Naval Academy			6. CURRENT SERVICE	
			a. INITIAL DATE 1 Jul 2010	b. TERM 4 yrs
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED None	9. DATE(S) IMPOSED N/A	
a. BASIC 1,006.80	b. SEA/FOREIGN DUTY			

II. CHARGES AND SPECIFICATIONS

10. CHARGE:	VIOLATION OF THE UCMJ, ARTICLE
SPECIFICATION:	
*** SEE (1) ATTACHED CONTINUATION PAGE ***	

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, Middle Initial) 5 U.S.C. 552(b)(6)	b. GRADE LN1/E-6	c. ORGANIZATION OF ACCUSER U.S. NAVAL ACADEMY
d. SIGNATURE OF ACCUSER 5 U.S.C. 552(b)(6)		e. DATE (YYYYMMDD) 20140324

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser this 24th day of MARCH, 2014, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

5 U.S.C. 552(b)(6)

Typed Name of Officer

U.S. NAVAL ACADEMY

Organization of Officer

LT, JAGC, USN

Grade

Assistant Staff Judge Advocate

Official Capacity to Administer Oath
(See R.C.M. 307(b) must be commissioned officer)

5 U.S.C. 552(b)(6)

Signature

12. On 24 March, 2014, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

5 U.S.C. 552(b)(6)

Typed Name of Immediate Commander

U.S. NAVAL ACADEMY

Organization of Immediate Commander

CAPT, USN

Grade

5 U.S.C. 552(b)(6)

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1530 hours, 25 MARCH, 2014 at _____
Designation of Command or

U.S. NAVAL ACADEMY

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

~~FOR THE~~

MILLER, Michael H.

Typed Name of Officer

VADM, USN

Grade

Superintendent

Official Capacity of Officer Signing

5 U.S.C. 552(b)(6)

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

U.S. NAVAL ACADEMY

b. PLACE

Annapolis, Maryland

c. DATE (YYYYMMDD)

Referred for trial to the _____ court-martial convened by _____

_____, _____, subject to the following instructions: ²

By _____ of _____
Command or Order

Typed Name of Officer

Official Capacity of Officer Signing

Grade

Signature

15. On _____, I (caused to be) served a copy hereof on (each of) the above named accused.

Typed Name of Trial Counsel

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 - When an appropriate commander signs personally, 'inapplicable words are stricken.

2 - See R.C.M. 601(e) concerning instructions. If none, so state.

CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 120:

Specification 1: In that Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy, United States Naval Academy, on active duty, did, at or near the United States Naval Academy, Annapolis, Maryland, on or about October 2012, commit a sexual act upon Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy, to wit: penetration of her vulva with his penis by causing bodily harm to her, to wit: penetration of her vulva with his penis without her consent.

Specification 2: In that Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy, United States Naval Academy, on active duty, did, at or near Annapolis, Maryland, on or about November 2012, commit a sexual act upon Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy, to wit: penetration of her vulva with his penis by causing bodily harm to her, to wit: penetration of her vulva with his penis without her consent.

Specification 3: In that Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy, United States Naval Academy, on active duty, did, at or near Annapolis, Maryland, on or about November 2012, commit a sexual act upon Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy, to wit: penetration of her vulva with his penis, when, Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy was incapable of consenting to the sexual act due to impairment by a drug, to wit: alcohol, and that condition was known or reasonably should have been known to the accused.

CHARGE II: VIOLATION OF THE UCMJ ARTICLE, 125:

Specification: In that Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy, United States Naval Academy, on active duty, did, at or near New York City, New York, on or about May 2011, commit sodomy with Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy, by force and without the consent of the said Midshipman First Class 5 U.S.C. 552(b)(6), United States Navy.